

05-14-01

PCT

JC17 Rec'd PCT/PTO 10 MAY 2001

FORM PTO-390 (REV. 1-98)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 20560-32	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371					
INTERNATIONAL APPLICATION NO. PCT/AT99/00272		INTERNATIONAL FILING DATE 10 November 1999		PRIORITY DATE CLAIMED 10 November 1998	
TITLE OF INVENTION: <b>FACTOR VIII POLYPEPTIDE HAVING FACTOR VIII:C ACTIVITY</b>					
APPLICANT(S) FOR DO/EO/US <b>Petrus Johannes LENTING, Jan Aart VAN MOURIK, Koenraad MERTENS, Hans PANNEKOEK, Peter TURECEK, Hans-Peter SCHWARZ, and Friedrich SCHEIFLINGER</b>					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. - This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)) 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b <input type="checkbox"/> have been transmitted by the International Bureau. c <input type="checkbox"/> have not been made, however, the time limit for making such amendments has NOT expired d <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (informal) 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5))					
Items 11. to 16. below concern document(s) or information included:					
11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording (informal) Assignment of the invention to <u>Baxter Aktiengesellschaft</u> 13. <input type="checkbox"/> A FIRST preliminary amendment <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification 15. <input checked="" type="checkbox"/> Declaration (informal) 16. <input checked="" type="checkbox"/> Other items of information					

U.S. APPLICATION NO. <b>09/831679</b> (see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/AT99/00272		ATTORNEY'S DOCKET NUMBER 20560-32	
17. <input type="checkbox"/> The following fees are submitted:				CALCULATIONS      PTO USE ONLY	
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b>  Search Report has been prepared by the EPO or JPO      \$  International preliminary examination fee paid to USPTO (37 CFR 1.482)      \$  No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..      \$860.00  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO      \$  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provision of PCT Article 33(2)-(4) ..... \$  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>					
Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 =		x \$18.00		
Independent claims	3 =		x \$80.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+\$270.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>					
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.0, 1.27, 1.28).					
<b>SUBTOTAL =</b>					
Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f))				+	
<b>TOTAL NATIONAL FEE =</b>					
Fee for recording the enclosed assignment (37 CFR 1.21(h)) The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28.3.31) \$40 per property				+	
<b>TOTAL FEES ENCLOSED =</b>					
				Amount to be refunded	\$
				Charged	\$
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayments to Deposit Account No <u>16-2230</u> A duplicate copy of this sheet is enclosed</p> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p> <p>SEND ALL CORRESPONDENCE TO</p> <p>OPPENHEIMER WOLFF &amp; DONNELLY LLP 840 Newport Center Drive, Suite 700 Newport Beach, California 92660 Attn: Louis C. Cullman Customer No. 25204</p> <div style="text-align: right; margin-top: 20px;">         SIGNATURE _____        Louis C. Cullman        NAME _____        39,645        REGISTRATION NUMBER _____     </div>					

## CERTIFICATE OF MAILING

## PATENT

I hereby certify that on June 25, 2001, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231.

37 C.F.R. § 1.8(a)  
☒ with sufficient postage  
 as first class mail

37 C.F.R. § 1.10  
☐ as "Express Mail Post Office to  
 Addressee" Mailing Label No.

Angela Wendel  
 Angela Wendel

Applicant: **Lenting et al.**

Serial No.: **09/831679**

Filed: **5/10/01**

Title: **FACTOR VIII  
 POLYPEPTIDE HAVING  
 FACTOR VIII: C  
 ACTIVITY**

Examiner: **Unknown**

Group Art Unit: **Unknown**

Atty Docket No.: **20560-32**

JC541 U.S. PTO  
 09/831679  
 05/10/01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
 ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Commissioner for Patents  
 Washington, D.C. 20231

Sir:

The above-identified application became abandoned for failure to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).

This application became abandoned on May 10, 2001.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

1. Petition Fee

- ☐ Small Entity – fee \$ 620.00 (37 CFR 1.17(m))
- ☐ Small entity statement enclosed herewith.
- ☐ Small entity statement previously filed.
- ☒ Other than small entity – fee \$ 1,240.00 (37 CFR 1.17(m))

07/10/2001 MNGUYEN 00000119 09831679

01 FC:141

1240.00 DP

09/831679-05/10/01

RECEIVED  
 13 JUL 2001  
 Legal and  
 International Division

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of the Basic filing fee:

- ☐ has been filed previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

B. The Issue fee of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20 (d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith.

4. Payment of fee

☒ Enclosed please find check for ☐ \$620. ☒ \$2,580 (\$1340 Basic Filing Fee plus \$1,240 Revival Fee)

- ☒ Charge Account 16-2230 for any additional fee required.
- ☐ Charge Account 16-2230 the sum of ☐ \$605.00. ☐ \$1,210.00.

A duplicate of this petition is attached.

5. Statement. The entire delay in filing the basic filing fee until the filing of a grantable petition under 37 CFR 1.137 (b) was unintentional.

Dated: June 25, 2001



Louis C. Cullman  
Registration No. 39,645

OPPENHEIMER WOLFF & DONNELLY LLP  
840 Newport Center Drive, Suite 700  
Newport Beach, CA 92660  
Telephone: (949) 823-6000  
Facsimile: (949) 823-6030

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05 JUL 2001

PTOSB/17 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>FEE TRANSMITTAL For FY 2001</b>				<b>Complete if known</b>																																																																																																																																																																																					
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1. <input checked="" type="checkbox"/> The Commissioner if hereby authorized to charge indicated fees and credit any over payments to Deposit Acct. No. <u>16.2230</u>  <input type="checkbox"/> Charge any addition fee required under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				<b>3. ADDITIONAL FEES</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Code</th> <th>Fee (\$)</th> <th>Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge-late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2520</td><td>147</td><td>2520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920</td><td>112</td><td>920</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1840</td><td>113</td><td>1840</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1510</td><td>138</td><td>1510</td><td>Petition to Institute a public use proceed</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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